

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

JASON GOODMAN

Plaintiff,

vs.

CHRISTOPHER ELLIS BOUZY, BOT
SENTINEL INC., GEORGE WEBB
SWEIGERT

Defendants

Case No.: 1:21-cv-10878-AT-JLC

**PLAINTIFF'S OPPOSITION TO NON-
PARTY MOVANT DAVID GEORGE
SWEIGERT'S MOTION TO INTERVENE**

Plaintiff Jason Goodman by and for himself pro se ("Goodman" or "Plaintiff")
submits this opposition to non-party David George Sweigert's ("Sweigert" or "Movant")
Motion for Intervention (Dkt. No. 25, the "Motion").

PRELIMINARY STATEMENT

Movant is an individual Goodman has never met and had never heard of prior
to 2017. Despite those facts, for the past five years, movant has relentlessly cyber stalked
and harassed Goodman. Movant has burdened Goodman with frivolous litigation, unwanted
emails, false statements to law enforcement and persistent efforts to destroy his business
relationships, public reputation and access to social media and online commerce. Movant
seeks to harass and overwhelm any company or individual Goodman does business with,
including social media companies and service providers Plaintiff relies on and even legal
counsel in unrelated litigation. A corporation owned by Plaintiff's was represented by
attorney Jonathan Snyder ("Snyder") in Nat'l Acad. of Tv Arts & Scis. v. Multimedia Sys.

**PLAINTIFF'S OPPOSITION TO NON-PARTY MOVANT DAVID GEORGE SWEIGERT'S
MOTION TO INTERVENE - 1**

1 Design, No. 20-CV-7269 (VEC), (S.D.N.Y. Feb. 14, 2022). After being relentlessly harassed
2 by Sweigert, Snyder withdrew citing alleged threats against his infant daughter. Movant has
3 attempted to involve himself in or otherwise interfere with multiple lawsuits against Plaintiff
4 in numerous District Courts around the United States through a variety of means, including
5 multiple inappropriate attempts at intervention, which have all been denied.
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7 Most recently, movant filed Dkt. No. 32 despite the standing order from Judge
8 Torres, (Dkt. No. 14) the ruling from Judge Caproni (*See Sweigert v Goodman 1:18-cv-*
9 *08653-VEC-SDA Document 383*), and nearly identical orders from the Honorable M. Hannah
10 Lauck of the Eastern District of Virginia and the Honorable Gershwin Drain of the Eastern
11 District of Michigan informing him that non-parties are not permitted to file. Plaintiff is left
12 to wonder how many Courts' orders this vexatious Movant will be permitted to defy before
13 he is found in contempt and brought to heel.
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16 Movant has not been sued in this action and the Court has already determined
17 he has no legitimate right to intervene. Movant merely seeks to inject scurrilous and obscene
18 information into the record so he can publish bogus "news reports" on his website
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20 deceptively named after this Court <http://sdny.org>. Movant seeks only to burden Goodman,
21 increase these proceedings and confound the Court with nonsensical, inappropriate filings.
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23 Movant sued Goodman in a 2018 action which he voluntarily dismissed after
24 three and a half years of litigation. (*See Sweigert v Goodman Case 1:18-cv-08653-VEC-SDA*
25 *Dkt. No. 383*). After dismissing his own action just prior to trial, Sweigert immediately filed
26 an appeal. Judge Caproni sharply censured Movant's attempt at what she termed a "judicial
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1 mulligan” stating “If the Court had dismissed Mr. Sweigert's claims without prejudice, he
2 would be free to refile his claims in other courts and start the process from the beginning. If
3 Mr. Sweigert truly wished to pursue his claims, he should have continued this case. The
4 Court will not tolerate judicial gamesmanship; Mr. Sweigert does not get a judicial
5 mulligan.” Judicial gamesmanship remains in play as Movant continues unabated,
6 attempting a brazen end-run around Judge Caproni’s ruling. Despite being warned such
7 behavior would not be tolerated, Movant has publicly boasted of his intent to sue Goodman
8 for the rest of his life. Sweigert has spent the past five years making good on that promise
9 and shows no signs of wavering. He has no actual injury from, or legitimate claim against
10 Goodman. There is no clear motive aside from pure harassment. There is no indication these
11 activities will cease until and unless Movant is compelled by the Court.
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15 Movant has made statements about his family history of medically diagnosed
16 and pharmaceutically treated schizophrenia. (https://vk.com/video731682021_456239020)
17 These statements along with his obsessive, abusive behavior, cause Plaintiff to believe
18 Sweigert is mentally ill and a danger to his safety and that of others. Movant had a forum to
19 litigate his claims against Goodman and voluntarily forfeited those claims. Allowing him to
20 intervene in this case would undermine Judge Caproni’s ruling and serve only to prolong
21 these proceedings and waste judicial resources. The Motion should be denied.
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24 I. LEGAL STANDARDS

25 A party may intervene as a matter of right or with the permission of the Court
26 on a timely motion. Fed. R. Civ. P. 24; Griffin v. Sheeran, 767 F. App’x 129, 132 (2d Cir.
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1 2019). To intervene as of right, a party must have a “direct, substantial, and legally
2 protectable” interest in the subject matter of the action.” *United States v. City of New York*,
3 198 F.3d 360, 365 (2d Cir. 1999). To intervene permissively, such application must establish
4 that intervenor has a “claim or defense that shares with the main action a common question of
5 law or fact.” Fed. R. Civ. P. 24(b)(1)(B); see also *Bldg. & Realty Inst. of Westchester v. New*
6 *York*, No. 19-CV-11285, 2020 U.S. Dist. LEXIS 174574, at *18 (S.D.N.Y. Sep. 23, 2020)
7 (citing *City of New York*, 198 F.3d at 367).

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10 “The district court has broad discretion to deny an applicant’s motion for
11 [permissive] intervention.” *New York News*, 972 F.2d at 487 (citing *H.L. Hayden Co. of*
12 *New York v. Siemens Med. Sys.*, 797 F.2d 85, 89 (2d Cir. 1986)). “Whether a motion to
13 intervene is timely is determined within the sound discretion of the trial court from all the
14 circumstances.” *United States v. Pitney Bowes, Inc.*, 25 F.3d 66, 70 (2d Cir. 1994) (internal
15 citation omitted). If the intervenor’s interests are “extraneous to the issues before the court,” a
16 motion to intervene may be denied, even if those interests are “broadly related to the subject
17 matter of th[e] action.” *City of New York*, 198 F.3d at 367–68. Intervention cannot be used to
18 “inject collateral issues into an existing action.” *New York News, Inc. v. Kheel*, 972 F.2d
19 482, 486–87 (2d Cir. 1992) (internal citation omitted).

22 II. ARGUMENT

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24 This case concerns a dispute between the Plaintiff and Christopher Bouzy, Bot
25 Sentinel and George Webb Sweigert concerning certain defamatory statements and
26 coordinated actions. Movant has not been sued in this matter and the Court has already
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1 determined he has no legally protectable right by which to intervene. Movant seeks only to
2 harass Plaintiff and waste the judicial resources of this honorable Court.

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4 The Second Circuit's decision in *New York News, Inc. v. Kheel* concerned a
5 non-party who sought intervention to strike allegedly false claims and seek sanctions to
6 remedy "baseless allegations" alleged to amount to an "abuse of the judicial process." *New*
7 *York News*, 972 F.2d at 485–86. The Second Circuit affirmed the denial of the proposed
8 intervenor's motion because the non-party failed to identify a "protectable interest in the
9 action". See *id.* at 486–87 (finding that proposed intervenor's desire to "protect the judicial
10 system against abuse" does not confer a legally protectable interest supporting intervention).

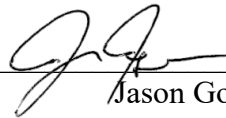
11
12 Like the proposed intervenor in *New York News*, Movant has not identified a
13 legally protectable interest in this action. Movant merely seeks to inject scurrilous collateral
14 information, unduly burden Goodman and harass this honorable Court for his own diabolical
15 purpose and to prolong these proceedings.

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17 III. CONCLUSION

18 For the reasons stated herein, the Motion should be denied.

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21 Signed this 9th day of June 2022

22 Respectfully submitted,

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